

§6(d), 64 Stat. 583, and amended Feb. 5, 1964, Pub. L. 88-265, 78 Stat. 8).

#### AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services” and “Archivist” for “Administrator” wherever appearing.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

### § 3105. Safeguards

The head of each Federal agency shall establish safeguards against the removal or loss of records he determines to be necessary and required by regulations of the Archivist. Safeguards shall include making it known to officials and employees of the agency—

- (1) that records in the custody of the agency are not to be alienated or destroyed except in accordance with sections 3301-3314 of this title, and
- (2) the penalties provided by law for the unlawful removal or destruction of records.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 98-497, title I, §107(b)(22), Oct. 19, 1984, 98 Stat. 2290.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §396(e) (June 30, 1949, ch. 288, title V, §506(e), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

#### AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services”.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

### § 3106. Unlawful removal, destruction of records

The head of each Federal agency shall notify the Archivist of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency of which he is the head that shall come to his attention, and with the assistance of the Archivist shall initiate action through the Attorney General for the recovery of records he knows or has reason to believe have been unlawfully removed from his agency, or from another Federal agency whose records have been transferred to his legal custody. In any case in which the head of the agency does not initiate an action for such recovery or other redress within a reasonable period of time after being notified of any such unlawful action, the Archivist shall request the Attorney General to initiate such an action, and shall notify the Congress when such a request has been made.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 98-497, title I, §107(b)(21), title II, §203(b), Oct. 19, 1984, 98 Stat. 2290, 2294.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §396(f) (June 30, 1949, ch. 288, title V, §506(f), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

#### AMENDMENTS

1984—Pub. L. 98-497, §107(b)(21), substituted “Archivist” for “Administrator of General Services” and “Archivist” for “Administrator”.

Pub. L. 98-497, §203(b), inserted at end “In any case in which the head of the agency does not initiate an action for such recovery or other redress within a reasonable period of time after being notified of any such unlawful action, the Archivist shall request the Attorney General to initiate such an action, and shall notify the Congress when such a request has been made.”

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

### § 3107. Authority of Comptroller General

Chapters 21, 25, 27,<sup>1</sup> 29, and 31 of this title do not limit the authority of the Comptroller General of the United States with respect to prescribing accounting systems, forms, and procedures, or lessen the responsibility of collecting and disbursing officers for rendition of their accounts for settlement by the Government Accountability Office.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 94-575, §3(a)(4), Oct. 21, 1976, 90 Stat. 2726; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §396(g) (June 30, 1949, ch. 288, title V, §506(g), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

#### REFERENCES IN TEXT

Chapter 27 of this title, referred to in text, was repealed by Pub. L. 95-378, §2(a), Sept. 22, 1978, 92 Stat. 723.

#### AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1976—Pub. L. 94-575 substituted “Chapters 21, 25, 27, 29, and 31 of this title” for “Sections 2101-2113, 2501-2507, 2701, 2901, 2904-2910, and 3101-3107, of this title”.

## CHAPTER 33—DISPOSAL OF RECORDS

Sec.	
3301.	Definition of records.
3302.	Regulations covering lists of records for disposal, procedure for disposal, and standards for reproduction.
3303.	Lists and schedules of records to be submitted to Archivist by head of each Government agency. <sup>1</sup>
3303a.	Examination by Archivist of lists and schedules of records lacking preservation value; disposal of records.
[3304 to 3307.]	Repealed.]
3308.	Disposal of similar records where prior disposal was authorized.
3309.	Preservation of claims of Government until settled in Government Accountability Office; disposal authorized upon written approval of Comptroller General.
3310.	Disposal of records constituting menace to health, life, or property.
3311.	Destruction of records outside continental United States in time of war or when hostile action seems imminent; written report to Archivist.

<sup>1</sup> See References in Text note below.

<sup>1</sup> Does not conform to section catchline.